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ULTRASMART (Reg. No. 2,730,626), JOHNSON & JOHNSON (Reg. No. 0,648,450));

(b) using any logo, trade name or trademark confusingly similar to any of the OneTouch Marks which may be calculated to falsely represent or which has the effect of falsely representing that the services or products of the Medishop Defendants or of others are sponsored by, authorized by or in any way associated with Plaintiffs;

(c) infringing any of the OneTouch Marks;

(d) diluting any of the OneTouch Marks;

(e) falsely representing themselves as being connected with Plaintiffs or sponsored by or associated with Plaintiffs or engaging in any act which is likely to cause the trade, retailers and/or members of the purchasing public to believe that they are associated with Plaintiffs;

(f) using any unauthorized reproduction, counterfeit, unauthorized copy, or colorable imitation of any of the OneTouch Marks in connection with the publicity, promotion, sale, or advertising of blood glucose test strips;

(g) affixing, applying, annexing or using in connection with the sale of any goods, a false description or representation including words or other symbols tending to falsely describe or represent such goods as being OneTouch blood glucose test strips and from offering such goods in commerce;

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(h) destroying any records documenting the manufacture, sale, offer for sale, distribution, advertisement or receipt of any product purporting to be OneTouch blood glucose test strips; and

(i) assisting, aiding or abetting any other person or business entity in engaging in or performing any of the activities referred to in subparagraphs (a) through (h) above.

(j) The Medishop Defendants are not prohibited from distributing or advertising genuine Johnson & Johnson products.

2. Any claims that the Medishop Defendants may have against any other individual or entity arising out of the Medishop Defendants' purchase, distribution, advertising, offering for sale and sale in commerce of the products containing the OneTouch Marks are hereby assigned to Plaintiffs.

3. Nothing contained in this Consent Judgment And Permanent Injunction is or shall be construed to constitute an admission, express or implied, of any improper or illegal conduct, or of any culpability or liability by the Medishop Defendants. Further, it is expressly understood and acknowledged that the Medishop Defendants maintain that they did not know and had no reason to know that any of the OneTouch products that they purchased and thereafter sold were other than genuine, and the Medishop Defendants maintains that it made reasonable efforts to ensure that the OneTouch products they purchased and resold were genuine.

4. In addition to other remedies, including damages, for contempt of this Consent Judgment, in the event of breach or violation by the Medishop Defendants, their agents, servants, employees, affiliates, subsidiaries, or any other persons in active concert and participation with the Medishop Defendants of the terms of this Consent Judgment, Plaintiffs are entitled to a

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preliminary and permanent injunction against the breaching conduct solely upon a showing of a likelihood of success of establishing that such a breach occurred. Plaintiffs and the Medishop Defendants each agree that jurisdiction and venue for such an action exist in this District Court, and the Medishop Defendants waive any and all defenses based on personal jurisdiction, subject matter jurisdiction and venue.

5. This Consent Judgment is entered pursuant to Rule 58 of the Federal Rules of Civil Procedure, and this action is hereby dismissed, with prejudice, only against the Medishop Defendants without costs or attorney's fees, save that this District Court shall retain jurisdiction over this action, including, without limitation, over implementation of, or disputes arising out of, this Consent Judgment or the settlement of this action with regard to the Medishop Defendants. A prevailing party, in addition to any award of damages or injunctive relief, shall be entitled to an award of actual reasonable attorneys' fees in any such dispute.

6. Signatures transmitted electronically or by facsimile shall be deemed original.

Dated: October 27th 2009

CONSENTED AND AGREED TO BY:

Date: Oct 27th 2009

Date: Oct 27th 2009

Date: October 27th 2009

MICHEL BOURELY

By: Michel Bourley

CYRIL HAENTJENS

By: Cyril Haentjens

MEDISHOP S.A.

By:

JOHNSON & JOHNSON


Laurence Rickles

LIFESCAN, INC.

Date: _____

Date: _____

Marc Benson

PATTERSON BELKNAP WEBB & TYLER LLP LAW OFFICES OF MARC BOGATIN

By: _____



Geoffrey Potter
gpotter@pbwt.com
Christos Yatrakis
cyatrakis@pbwt.com
1133 Avenue of the Americas
New York, New York 10036
(212) 336-2000
Attorneys for Johnson & Johnson and LifeScan
Inc.

By: _____

Marc Bogatin
marcbogatin@yahoo.com
277 Broadway, Suite 900
New York, NY 10007
(212) 406-9065
Attorney for the Medishop S.A., Cyril
Haentjens and Michel Bourelly

SO ORDERED:

UNITED STATES DISTRICT JUDGE

By:

JOHNSON & JOHNSON

Date: _____

Laurence Rickles

LIFESCAN, INC.

Date: December 2, 2009

Marc Bogatin

PATTERSON BELKNAP WEBB & TYLER LLP

LAW OFFICES OF MARC BOGATIN

By: _____

Geoffrey Potter
gpotter@pbwt.com
Christos Yaukakis
cyaukakis@pbwt.com

1133 Avenue of the Americas
New York, New York 10036
(212) 336-2000
Attorneys for Johnson & Johnson and LifeScan
Inc.

By: _____

Marc Bogatin
marcbogatin@yahoo.com
277 Broadway, Suite 900
New York, NY 10007
(212) 406-9065
Attorney for the Medishop S.A., Cyril
Haentjens and Michel Bourcy

SO ORDERED:

UNITED STATES DISTRICT JUDGE




By:

JOHNSON & JOHNSON

Date: _____

Laurence Rickles

LIFESCAN, INC.

Date: _____

Marc Bogatin

PATTERSON BELKNAP WEBB & TYLER LLP

LAW OFFICES OF MARC BOGATIN

By: _____

Geoffrey Potter
gpotter@pbwt.com
Christos Yatrakis
cyatrakis@pbwt.com

1133 Avenue of the Americas
New York, New York 10036
(212) 336-2000
Attorneys for Johnson & Johnson and LifeScan
Inc.

By: _____

Marc Bogatin
marcbogatin@yahoo.com

277 Broadway, Suite 900
New York, NY 10007
(212) 406-9065
Attorney for the Medishop S.A., Cyril
Haentjens and Michel Bourély

SO ORDERED:

s/ SLT

UNITED STATES DISTRICT JUDGE

Dated: 12/3/09